UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/465,028	12/16/1999	RAHUL BHIDE	NEPTUNET-2	8380

			EXAMINER
28581	7590	07/27/2004	HUYNH, CONG LAC T

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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 May 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>11,13-16 and 20-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>11,13-16 and 20-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: amendment after final filed

5/6/04 to the application filed on 12/16/99, priority 12/18/98.

2.   Claims 21-28 are added.

3.   Claims 11, 13-16, 20-28 are pending in the case. Claims 11, 16, 21, 25

are independent claims.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

5.   This application currently names joint inventors. In considering

patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that

the subject matter of the various claims was commonly owned at the time any

inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a

later invention was made in order for the examiner to consider the applicability of

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35

U.S.C. 103(a).

6.   Claims 11, 13-16, 20 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Fields et al. (6,605,120 B1, 8/12/03, filed 12/10/98).

Regarding independent claim 11, Fields discloses:

- recording a sequence of actions of a user operable to electronically

    navigate to a target page of said electronic document (col 3, lines 4-38: a

    user accesses the web page and make actions such as parsing the page,

    selecting and extracting elements from the page; col 7, line 65 to col 8,

    line 10: a visit by the requesting client is recorded in the web content

    server's log file; the visit made by a user at the client is recorded suggests

    that when a user accesses the page, that means to visit the page,

    whatever the user does be recorded during said visit)

- identifying a target pattern for a selected subset of said plurality of

    elements of interest to said user (col 3, lines 9-21: "as part of the process

    of *identifying the selectable content elements, a set of varied headers* can

    be used to retrieve multiple versions of the same web page", "a

    representation of the original web page is presented in a user interface,

    wherein the selectable content elements are demarcated. The *user will*

    select some of the elements for inclusion in the filter through the user

    interface, whereby the tool will indicate the selected content elements for

    inclusion in the filter"; since a header has a header pattern included in its

    tag, identifying selectable content elements selected by a user suggests

    that identifying the header pattern of the part that includes the selected

content elements; this also shows the elements selected by a user are the
elements of interest to said user)

- automatically identifying and copying select ones of said plurality of
  elements and said structural definitions of said select ones of said plurality
  of elements dependent upon said target pattern (col 3, lines 1-39 and col
  13, lines 33-53: providing an automated system for identifying selected
  content elements, extracting the desired elements, and sending the recast
  web page with said desired elements to the client where sending the
  recast web page to client suggests copying the selected elements with
  their tags reflecting the structure of the elements contained in the header
  tags to the client) wherein:

- in the first mode, said target pattern is dependent upon said interrelation of
  said structural definitions for said selected subset (col 3, lines 1-39: the
  varied header can be used to retrieve multiple versions of the same web
  page and reformat the web page of selected elements; it was obvious that
  reformatting the selected elements to be a new web page relates to
  changing the interrelation of the tags, which reflect the document
  structure, in said selected subset)

- in the second mode, said target pattern is dependent upon content of said
  selected subset (col 5, lines 13-26: parsing the tags such as title or banner
  of the documents for selecting desired contents of a web page where said
  desired elements are the selected subset of elements of the web page)

- in the third mode, said target pattern is dependent upon said structural definitions and content of said selected subset (col 7, lines 16-26 and col 9, lines 45-67: the elements in the recast web page can be removed, reformatted or relocated where these modifications relate to *changing the order of the element tags*; this inherently shows the dependency of the tags and the content as well as the structure of the selected subset)

- wherein information of interest to said user is automatically extracted (col 3, lines 1-39 and col 13, lines 33-53: an automated system for identifying selected content elements, extracting the desired elements, and sending the recast web page with said desired elements to the client shows that the desired elements, which is information of interest to said user, are automatically extracted)

Fields does not explicitly disclose automatically accessing said target page according to said recorded sequence. Instead, Fields does disclose accessing a target page (figures 5A, 5B: accessing a new page where the page to be filtered is considered as a target page for filtering purpose).

It would have been obvious to an ordinary skill in the art at the time of the invention was made to have modified Fields to include automatically accessing said target page according to said recorded sequence since Fields does teach recording the action sequence of navigating a web page and accessing a target page thus suggesting to use the recorded action sequence for subsequent access without the need of user intervention. In other words, the subsequent access can be done automatically.

Regarding claims 13 and 14, which are dependent on claims 11 and 13 respectively, Fields discloses that said actions include user interactions with a plurality of electronic documents being web pages (figures 3A-4B: the website including a plurality of web pages has *buttons for user interactions*).

Regarding claim 15, which is dependent on claim 11, Fields discloses that said actions include activating HTML links and electronically filling and submitting forms (figures 3B, 4B: activating hyperlink "Click here"; figure 6A: filling and submitting forms on-line).

Claim 16 is for a computerized system of method claim 11, and is rejected under the same rationale.

Regarding claim 20, which is dependent on claim 16, Fields further discloses a system for:

- automatically altering said sequence actions according to a predetermined criteria (figure 6A and col 10, lines 1-26: check box 523 for choosing whether to keep an action based on a predetermined criteria such as logo or banner to change the action sequence)

- automatically accessing other web pages according to said altered sequence (figure 6A and col 10, lines 1-26: checking boxes to show whether to keep some element of the web page suggests accessing web pages following such a selection of actions)

- automatically altering said pattern according to the predetermined criteria
  (figure 6A and col 10, lines 1-28: as mentioned above, the action
  sequence is changed thus the sequence of tags is changed according to
  the criteria)

7.   Claims 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Fields et al. (6,605,120 B1, 8/12/03, filed 12/10/98).

Regarding independent claim 21, Fields discloses:

- recording a sequence of actions operable of a user to electronically
  navigate to a target page of said electronic document (col 3, lines 4-38: a
  user accesses the web page and make actions such as parsing the page,
  selecting and extracting elements from the page; col 7, line 65 to col 8,
  line 10: a visit by the requesting client is recorded in the web content
  server's log file; the visit made by a user at the client is recorded suggests
  that when a user accesses the page, that means to visit the page,
  whatever the user does be recorded during said visit)

- identifying a target pattern for a selected subset of said plurality of
  elements of interest to said user (col 3, lines 9-21: "as part of the process
  of *identifying the selectable content elements, a set of varied headers* can
  be used to retrieve multiple versions of the same web page", "a
  representation of the original web page is presented in a user interface,
  wherein the selectable content elements are demarcated. The *user will*

select some of the elements for inclusion in the filter through the user interface, whereby the tool will indicate the selected content elements for inclusion in the filter"; since a header has a header pattern included in its tag, identifying selectable content elements selected by a user suggests that identifying the header pattern of the part that includes the selected content elements; this also shows the elements selected by a user are the elements of interest to said user)

- automatically identifying and copying select ones of said plurality of elements and said structural definitions of said select ones of said plurality of elements dependent upon said target pattern (col 3, lines 1-39 and col 13, lines 33-53: providing an automated system for identifying selected content elements, extracting the desired elements, and sending the recast web page with said desired elements to the client where sending the recast web page to client suggests copying the selected elements with requested header pattern included in the recast web page to client) wherein:

- wherein information of interest to said user is automatically extracted (col 3, lines 1-39 and col 13, lines 33-53: an automated system for identifying selected content elements, extracting the desired elements, and sending the recast web page with said desired elements to the client shows that the desired elements, which is information of interest to said user, are automatically extracted)

Fields does not explicitly disclose automatically accessing said target page according to said recorded sequence. Instead, Fields does disclose accessing a target page (figures 5A, 5B: accessing a new page where the page to be filtered is considered as a target page for filtering purpose).

It would have been obvious to an ordinary skill in the art at the time of the invention was made to have modified Fields to include automatically accessing said target page according to said recorded sequence since Fields does teach recording the action sequence of navigating a web page and accessing a target page thus suggesting to use the recorded action sequence for subsequent access without the need of user intervention. In other word, the subsequent access can be done automatically.

Regarding claim 22, which is dependent on claim 21, Fields discloses automatically mapping said target page by identifying said structural definitions of said plurality of elements (col 3, lines 1-39: the varied header can be used to retrieve multiple versions of the same web page and reformat the web page of selected elements; it was obvious that reformatting the selected elements to be a new web page relates to identifying the tags containing structure definitions of the selected elements included in the target page).

Regarding claim 23, which is dependent on claim 21, Fields discloses:

- accessing an altered target page (figure 5A: accessing a page which is not

  a new page having *change filtering definition* suggests that the page to be

  accessed be an altered page)

- automatically identifying and copying select ones of said plurality of

  elements and said structural definitions of said select ones of said plurality

  of elements dependent upon said target pattern (col 3, lines 1-39 and col

  13, lines 33-53: providing an automated system for identifying selected

  content elements, extracting the desired elements, and sending the recast

  web page with said desired elements to the client where sending the

  recast web page to client suggests copying the selected elements with

  requested header pattern included in the recast web page)

Fields does not explicitly disclose automatically identifying and copying select

ones of said plurality of elements from said altered target page dependent upon

said target page. However, Fields does teach *automatically identifying and*

copying select ones of said plurality of elements and structural definitions of the

select ones of plurality of elements dependent upon said target pattern of a target

page and *accessing an altered target page*. This suggests said automatically

identifying and copying select ones of said plurality of elements from the target

page be performed from the *altered target page* since the altered target page is

based on the target page and basically includes the structure of the target page.

Regarding claim 24, which is dependent on claim 21, Fields discloses:

- in the first mode, said target pattern is dependent upon said interrelation of

    said structural definitions for said selected subset (col 3, lines 1-39: the

    varied header can be used to retrieve multiple versions of the same web

    page and reformat the web page of selected elements; it was obvious that

    reformatting the selected elements to be a new web page relates to

    changing the interrelation of the tags, which reflect the document

    structure, in said selected subset)

- in the second mode, said target pattern is dependent upon content of said

    selected subset (col 5, lines 13-26: parsing the tags such as title or banner

    of the documents for selecting desired contents of a web page where said

    desired elements are the selected subset of elements of the web page)

- in the third mode, said target pattern is dependent upon said structural

    definitions and content of said selected subset (col 7, lines 16-26 and col

    9, lines 45-67: the elements in the recast web page can be removed,

    reformatted or relocated where these modifications relate to changing the

    order of the element tags; this inherently shows the dependency of the

    tags and the content as well as the structure of the selected subset)

Claims 25-28 are for a computer system of method claims 21-24, and are

rejected under the same rationale.

Response to Arguments

8.   Applicant's arguments with respect to claims 11, 13-16, 20 have been

considered but are moot in view of the new ground(s) of rejection.

Applicants argue that the final action is improper since Examiner has rejected the

amended claims that include the allowable subject matter indicated in the

previous non-final action (Remarks, page 7).

Examiner agrees.

Since the allowable subject matter, when reconsidered, has been found in the

reference, the allowability of said allowable subject matter has been withdrawn.

However, the final rejection made by Examiner is not correct. It should have

been the second non-final action. Therefore, the final rejection has been

withdrawn and this office action is made non-final.

Applicants argue, Fields does not teach or suggest the elements of recording a

sequence of actions of the user to navigate a target page (Remarks, page 8).

Examiner respectfully disagrees.

Fields does teach recording a sequence of actions of the user to navigate a

target page (col 3, lines 4-38: a user accesses the web page and make actions

such as parsing the page, selecting and extracting elements from the page; col 7,

line 65 to col 8, line 10: a visit by the requesting client is recorded in the web

content server's log file; the visit made by a user at the client is recorded

suggests that when a user accesses the page, that means to visit the page, whatever the user does be recorded during said visit).

Applicants argue that Fields does not teach or suggest the element of identifying a target pattern for a selected subset of plurality of elements of interest to said user (Remarks, page 8).

Examiner respectfully disagrees.

Fields does teach that "as part of the process of *identifying the selectable content elements, a set of varied headers* can be used to retrieve multiple versions of the same web page" (col 3, lines 9-21). Since a header has a header pattern included in its tag, identifying selectable content elements selected by a user suggests that identifying the header of the part that includes the selected content elements. Fields also discloses "a representation of the original web page is presented in a user interface, wherein the selectable content elements are demarcated. The **user** will _select some of the elements_ for inclusion in the filter through the user interface, whereby the tool will indicate the selected content elements for inclusion in the filter" (col 3, lines 7-13). This shows the elements selected by a user are the elements of interest to said user.

Applicants argue that Fields does not teach automatically accessing the target page according to the said recorded sequence (Remarks, page 8).

Examiner does not agree completely.

Though Fields does not explicitly state that accessing the target page according to said recorded sequence is performed automatically, the fact that Fields does teach accessing the target page (figures 5A-B) and the Fields' invention provides *an automated system* (col 3, lines 25-27) suggests that said accessing be performed automatically.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Giannandrea et al. (US Pat No. 5,978,817, 11/2/99, filed 3/21/97, priority 8/15/95).

Garrick et al. (US Pat No. 5,968,125, 10/19/99, filed 1/21/97).

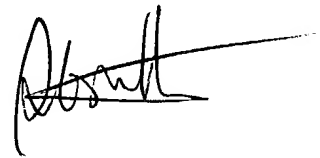Berger et al. (US Pat No. 6,230,174 B1, 5/8/01, filed 9/11/98).

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from
the Patent Application Information Retrieval (PAIR) system. Status information
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PAIR. Status information for unpublished applications is available through
Private PAIR only. For more information about the PAIR system, see http://pair-
direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-
free).

Clh
7/19/04

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PRIMARY EXAMINER